

ATTACHMENT A

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Claims 1, 7-9, 14-19-21 and 23-24 stand pending in the present application. By this Amendment, Applicants have amended claims 1, 7-9, 14-16 and 19, added claims 23 and 24 and canceled claims 2-6 and 10-13 and 22. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

Claims 4 and 9 were noted for containing typographical errors. By this Amendment, Applicants have canceled claim 4 and amended claim 9 rendering the errors now moot.

Claim 19 was rejected under 35 U.S.C. § 101. By this Amendment, claim 19 has been amended by adding the phrase "A biologically pure culture of" as suggested by the Examiner to thereby overcome the 35 U.S.C. § 101 rejection.

Claims 5, 13 and 19 were rejected under 35 U.S.C. § 112, first paragraph for containing subject matter which was not described in the specification. To overcome this rejection, the Examiner suggested submitting a declaration stating that novel strains claimed were deposited in compliance with 37 C.F.R. §§ 1.801-1.809. By this Amendment, Applicants have submitted a Rule 132 Declaration establishing that the claimed novel strains were deposited in accordance with 37 C.F.R. §§ 1.801-1.809 and thereby, provide assurance of compliance with the requirements of 35 U.S.C. § 112, first paragraph.

Claims 1-8, 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph. By this Amendment, Applicants have amended claims 1, 7 and 8 thereby rendering the 35 U.S.C. § 112, second paragraph rejections of the aforementioned claims now moot.

With regard to the Examiner's allegation that claims 14 and 15 appear to be substantially duplicates, Applicants respectfully submit that upon careful review and comparison of claim 14 with claim 15, claims 14 and 15 are not duplicates. For example, claim 14 recites cultivating a microorganism in a liquid culture medium containing myo-inositol, carbon sources and nitrogen sources whereas claim 15 recites cultivating in a carbon and nitrogen source medium. Therefore, Applicants respectfully request that the rejection to claims 14 and 15 under 35 U.S.C. § 112, second paragraph be withdrawn.

Claims 1-4, 6-12, 14-18 and 22 were rejected under 35 U.S.C. § 112, first paragraph. By this Amendment, Applicants have amended the claims rendering all pending claims enabled in accordance with 35 U.S.C. § 112, first paragraph.

Added new claims 23 and 24 correspond to original multiple dependent claims 8 and 16, respectively, rewritten in single dependent form.

In view of the foregoing, Applicants respectfully submit that the present application is now in condition for immediate allowance.

END REMARKS